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12	UNITED STATES DISTRICT COURT	
13	CENTRAL DISTRICT OF CALIFORNIA	
14	WESTERN DIVISION	
15	CENTOCOR ORTHO BIOTECH, INC.,	Case No. CV 08-03573 MRP (JEMx)
16		NOTICE OF LODGING OF
16 17	Plaintiff,) DOCUMENT FOR IN CAMERA) REVIEW PURSUANT TO THE
	Plaintiff, v.	DOCUMENT FOR IN CAMERA
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17 18 19 20 21 22 23 24 25	Plaintiff, v. GENENTECH, INC., and CITY OF HOPE, Defendants. AND RELATED COUNTER AND) DOCUMENT FOR IN CAMERA) REVIEW PURSUANT TO THE

PLEASE TAKE NOTICE that, as required by the Court's order of May 17, 1 2010, defendants Genentech, Inc. ("Genentech") and City of Hope are lodging a document for in camera review by the Court. Genentech and City of Hope are 3 including with the lodged document a translation of the Hebrew handwriting on the 4 5 document. As explained in Genentech's and City of Hope's Opposition to Plaintiff's Ex 6 Parte Application To Compel Disclosure of Inappropriately Withheld Information 7 (Docket No. 225), this is the letter by which Dr. Cabilly transmitted a draft patent 8 application to Genentech's attorneys. Genentech and City of Hope offered to produce this document, subject to an agreement by Centocor Ortho Biotech, Inc. 10 ("Centocor") that its production will not waive any privileges. Centocor refused, 11 raising a concern that it was seeking to foment privilege waiver arguments. 12 Genentech and City of Hope also proposed that this Court could review the 13 document in camera to determine whether it is privileged. 14 15 With the exception of a single line that could be redacted, the letter actually contains no more information than what would typically appear on a privilege log. 16 Accordingly, if the Court agrees that the document is not privileged (and thus its 17 production does not waive privilege), Genentech and City of Hope propose to 18 produce the entirety of the letter except for line 5, which it would redact as 19 20 privileged. 21 Dated: May 26, 2010 IRELL & MANELLA LLP David I. Gindler 22 Joseph M. Lipner Amir Naini 23 24 25 By: Joseph M. Lipner 26 Attorneys for City of Hope 27 28